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**United States District Court
Eastern District of Wisconsin (Green Bay)
CIVIL DOCKET FOR CASE #: 1:11-cv-00318-WCG**

Appleton Papers Inc v. United States Environmental Protection
Agency et al
Assigned to: Judge William C Griesbach
Cause: 05:552 Freedom of Information Act

Date Filed: 03/31/2011
Date Terminated: 03/30/2012
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Appleton Papers Inc

represented by **Dennis P Birke**
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TERMINATED: 03/23/2012

V.

Defendant

**United States Environmental Protection
Agency**

represented by **Christian R Larsen**
United States Department of Justice (ED-
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Defendant

**United States Department of Justice
Environment and Natural Resources
Division**

represented by **Christian R Larsen**
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/31/2011	<u>1</u>	COMPLAINT <i>for Declaratory and Injunctive Relief</i> against All Defendants by Appleton Papers Inc. (Filing Fee PAID \$350 receipt number 0757-1278647) (Hermes, Michael)
03/31/2011	<u>2</u>	ATTACHMENTS <i>to Complaint</i> by Appleton Papers Inc re <u>1</u> Complaint. (Attachments: # <u>1</u> Exhibit 2 - September 17 Response, # <u>2</u> Exhibit 3 - Appeal of September 17 Response, # <u>3</u> Exhibit 4 - August 17 Request, # <u>4</u> Exhibit 5 - October 28 Response, # <u>5</u> Exhibit 6 - Appeal of October 28 Response, # <u>6</u> Exhibit 7 - December 13 Letter, # <u>7</u> Exhibit 8 - January 29 Request, # <u>8</u> Exhibit 9 - May 5 Response, # <u>9</u> Exhibit 10 - Appeal of May 5 Response, # <u>10</u> Civil Cover Sheet, # <u>11</u> Summons, # <u>12</u> Summons)(Hermes, Michael)
03/31/2011		NOTICE Regarding assignment of this matter to Judge William C Griesbach ;Consent/refusal forms for Magistrate Judge Callahan to be filed within 21 days;the consent/refusal form is available on our web site ;pursuant to Civil Local Rule 7.1 a disclosure statement is to be filed upon the first filing of any paper and should be filed now if not already filed. (blr)
04/01/2011		Summons Issued as to United States Department of Justice Environment and Natural Resources Division and United States Environmental Protection Agency. (aw)
04/06/2011	<u>3</u>	DISCLOSURE Statement by Appleton Papers Inc. (Hermes, Michael)
04/06/2011	<u>4</u>	Refusal to Jurisdiction by US Magistrate Judge by Appleton Papers Inc. (Hermes, Michael)
05/05/2011	<u>5</u>	MOTION for Extension of Time to File Answer OR OTHER RESPONSIVE

		<i>PLEADING</i> by All Defendants. (Attachments: # 1 Text of Proposed Order, # 2 Attachment)(Larsen, Christian)
05/18/2011	6	RESPONSE to Motion filed by Appleton Papers Inc re 5 MOTION for Extension of Time to File Answer <i>OR OTHER RESPONSIVE PLEADING</i> . (Attachments: # 1 Certificate of Service Certificate of Service)(Hermes, Michael)
06/08/2011	7	ANSWER to 1 Complaint by All Defendants.(Larsen, Christian)
06/08/2011	8	NOTICE of Hearing: Rule 16 Telephone Scheduling Conference set for 7/14/2011 09:00 AM before Judge William C Griesbach. (cc: all counsel)(tlf)
07/07/2011	9	7(h)Joint MOTION to Expedite <i>Non-Dispositive Motion to Establish Briefing Schedule</i> by All Defendants. (Attachments: # 1 Text of Proposed Order)(Larsen, Christian) Modified on 7/8/2011 (aw).
07/08/2011	10	ORDER ESTABLISHING BRIEFING SCHEDULE by granting 9 Motion to Expedite. The Rule 16 Scheduling Conference scheduled for 7/14/2011 at 9:00 a.m. has been removed from the Court's calendar. Signed by Judge William C Griesbach on 07/08/2011. (cc: all counsel) (Griesbach, William)
07/13/2011	11	ORDER granting 5 Motion for Extension of Time to Answer to June 8, 2011 by all Defendants, signed by Judge William C Griesbach on 07/13/2011. The answer filed June 8, 2011 is timely and the briefing schedule previously agreed to by the parties remains in effect. (cc: all counsel) (Griesbach, William)
07/15/2011	12	STATEMENT by All Defendants <i>Notice of filing of Vaughn Index</i> . (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C)(Larsen, Christian)
07/29/2011	13	MOTION for Summary Judgment by All Defendants with attached BRIEF IN SUPPORT. (Attachments: # 1 Defendants' Memorandum in Support of Motion for Summary Judgement)(Larsen, Christian) Modified on 9/6/2011 (tlf).
07/29/2011	14	DECLARATION of Amber Blaha <i>in support of defendants' 13 motion for summary judgment</i> . (Attachments: # 1 Exhibit One, # 2 Exhibit Two, # 3 Exhibit Three, # 4 Exhibit Four, # 5 Exhibit Five, # 6 Exhibit Six, # 7 Exhibit Seven, # 8 Exhibit Eight) (Larsen, Christian)
07/29/2011	15	DECLARATION of Randall Stone <i>in support of defendants' motion for summary judgment</i> . (Larsen, Christian)
07/29/2011	16	DECLARATION of Richard Karl <i>in support of defendants' motion for summary judgment</i> . (Attachments: # 1 Exhibit A (amended), # 2 Exhibit B (amended))(Larsen, Christian)

08/01/2011		NOTICE of Electronic Filing Error to Chris Larsen re 13 MOTION for Summary Judgment; The Brief in Support attachment to this document should have been filed as a separate entry. This document does not need to be re-filed; Please refer to the policies and procedures for electronic case filing found at www.wied.uscourts.gov (aw)
09/02/2011	1 7	BRIEF IN OPPOSITION to Motion filed by Appleton Papers Inc re 13 MOTION for Summary Judgment. (Hermes, Michael)
09/02/2011	1 8	DECLARATION of Michael L. Hermes <i>in Support of Plaintiff's Memorandum of Law in Opposition to Defendants' 13 Motion for Summary Judgment</i> . (Attachments: # 1 Exhibit Ex 1 - 2000 Amendola Report, # 2 Exhibit Ex 2 - Appendices to 2000 Amendola Report, # 3 Exhibit Ex 3 - 2001 Amendola Report, # 4 Exhibit Ex 4 - Ft. James Consent Decree Brief, # 5 Exhibit Ex 5 - Georgia-Pacific Consent Decree Brief)(Hermes, Michael) Modified on 9/6/2011 (tlf).
09/02/2011	1 9	RESPONSE filed by Appleton Papers Inc <i>to Defendants' Proposed Findings of Fact</i> (Hermes, Michael)
09/16/2011	2 0	LETTER from AUSA Chris R. Larsen <i>Requesting for Extension to File Defendant's Reply Brief</i> . (Larsen, Christian)
09/19/2011	2 1	REPLY BRIEF in Support filed by All Defendants re 13 MOTION for Summary Judgment. (Attachments: # 1 Attachment 1, # 2 Attachment 2; Part 1, # 3 Attachment 2: Part 2)(Larsen, Christian)
09/20/2011		TEXT ONLY ORDER GRANTING 20 Letter request for 1-day extension of time to file reply brief, signed by Judge William C Griesbach on 09/20/2011. (cc: all counsel) (Griesbach, William)
03/22/2012	2 2	LETTER from Appleton Papers Inc. <i>to the Court</i> . (Hermes, Michael)
03/22/2012	2 3	NOTICE OF WITHDRAWAL OF COUNSEL First MOTION to Withdraw as Attorney <i>Brandon J. Evans</i> by Appleton Papers Inc. (Hermes, Michael) (Docketed in error as a motion; motion terminated on 3/23/2012) (tlf).
03/30/2012	2 4	DECISION AND ORDER GRANTING 13 Motion for Summary Judgment, signed by Judge William C Griesbach on 03/29/2012. The documents withheld by the DOJ properly constitute work product and the privilege has not been waived. The Court further concludes that the remaining documents are protected by the deliberative process privilege. The Defendants motion for summary judgment is GRANTED and the case is dismissed. (cc: all counsel) (Griesbach, William)
03/30/2012	2 5	JUDGMENT entered by Deputy Clerk approved; by Judge William C Griesbach on 03/30/2012. (cc: all counsel)(aw) (Entered: 04/02/2012)

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